



PTO/SB/21 (09-04)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/655,762
Filing Date	September 5, 2003
First Named Inventor	Charles R. Cantor
Art Unit	1637
Examiner Name	Young J. Kim
Attorney Docket Number	701586-53023

**ENCLOSURES (Check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Form 1449; References B1 and C1; Certificate of Mailing; COPY-Certificate of Limited Recognition; and Return Receipt Postcard
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

**Remarks**

The Commissioner is hereby authorized to charge any and all fees due with this submission and credit any overpayment to Deposit Account Number 19-2380.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Nixon Peabody LLP		
Signature			
Printed name	Ronald I. Eisenstein / Leena H. Karttunen		
Date	June 20, 2006	Reg. No.	30,628 / L0207

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Nicole M. Aguerra	Date	6/20/06

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Patentitioner's Docket No. 701586-53023

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Charles R. Cantor; Chunming Ding  
Application No.: 10/655,762 Group No.: 1645  
Filed: 09/05/2003 Examiner: Young J. Kim  
For: QUANTIFICATION OF GENE EXPRESSION

Confirmation No.: 6905

CERTIFICATE OF MAILING

I hereby certify that this correspondence:

1. Certificate of Mailing (1 pg.);
2. Transmittal Form (1 pg.);
3. Supplemental Information Disclosure Statement (2 pp.);
4. Form 1449 (2 pp.);
5. References B1 & C1;
6. Fee Transmittal in duplicate (2 pp.);
7. Copy – Limited Recognition Under 37 C.F.R. § 11.9(b) (1 pg.);
8. Return Receipt Postcard;

is on the date shown below being:

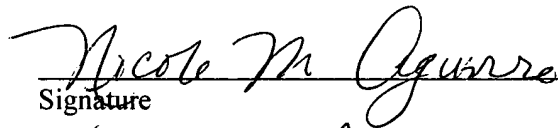
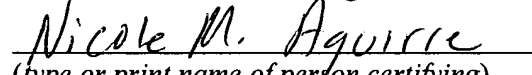
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Date: June 20, 2006

**FACSIMILE**

transmitted by facsimile to the Patent and Trademark Office.

  
Signature  
  
(type or print name of person certifying)



**BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE  
UNITED STATES PATENT AND TRADEMARK OFFICE**

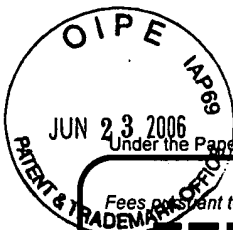
**LIMITED RECOGNITION UNDER 37 CFR § 11.9(b)**

Leena H. Karttunen is hereby given limited recognition under 37 CFR §11.9(b) as an employee of Nixon Peabody LLP, to prepare and prosecute patent applications wherein the patent applicant is the client of Nixon Peabody LLP and an attorney or agent of record in the applications is a registered practitioner who is a member of Nixon Peabody LLP. This limited recognition shall expire on the date appearing below, or when whichever of the following events first occurs prior to the date appearing below: (i) Leena H. Karttunen ceases to lawfully reside in the United States, (ii) Leena H. Karttunen's employment with Nixon Peabody LLP ceases or is terminated, or (iii) Leena H. Karttunen ceases to remain or reside in the United States on an H-1B visa.

This document constitutes proof of such recognition. The original of this document is on file in the Office of Enrollment and Discipline of the U.S. Patent and Trademark Office.

Limited Recognition No. L0207  
Expires: February 11, 2007

**Harry I. Moatz**  
**Director of Enrollment and Discipline**



Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL**  
**For FY 2006**☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180.00

**Complete if Known**

Application Number	10/655,762
Filing Date	September 5, 2003
First Named Inventor	Charles R. Cantor
Examiner Name	Young J. Kim
Art Unit	1637
Attorney Docket No.	701586-53023

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☒ Deposit Account Deposit Account Number: 19-2380 Deposit Account Name: Nixon Peabody, LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below☒ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☒ Credit any overpayments

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**FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)

Fee (\$)

Small Entity

Fee (\$)

50 25

Each independent claim over 3 (including Reissues)

200 100

Multiple dependent claims

360 180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
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Multiple Dependent Claims

- 20 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

Fee (\$) Fee Paid (\$)

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
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- 3 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
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- 100 = \_\_\_\_\_ / 50 = \_\_\_\_\_ (round up to a whole number) x 125.00 = 0.00

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Fees Paid (\$)

Other (e.g., late filing surcharge): Supplemental IDS Fee

180.00

**SUBMITTED BY**

Signature		Registration No. 30,628 / L0207 (Attorney/Agent)	Telephone 617-345-6054/1367
Name (Print/Type)	Ronald I. Eisenstein / Leena H. Karttunen		Date 6/20/2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Practitioner's Docket No. 701586-53023

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Charles R. Cantor, Chunming Ding  
Application No.: 10/655,762 Group No.: 1645  
Filed: 09/05/2003 Examiner: Young J. Kim  
For: QUANTIFICATION OF GENE EXPRESSION

Confirmation No.: 6905

CERTIFICATE OF MAILING	
I hereby certify that this correspondence, on the date shown below, is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to MAIL STOP AMENDMENT, Commissioner of Patents, Box 1450, Alexandria, VA 22313-1450 .	
Date:	6/20/06 <i>Nicole M. Aguirre</i> Nicole M. Aguirre

**MAIL STOP AMENDMENT**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

Sir/Madam:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

In accordance with the provisions of 37 C.F.R. §1.56, 1.97, and 1.98, Applicants wish to bring to the Examiner's attention the following references, References B1 and C1 cited in the attached Form 1449.

07/07/2006 NNGUYEN1 00000002 192300 10655762  
01 FC:1806 100.00 DA

**REMARKS**

In accordance with the provisions of 37 C.F.R. §1.97, this statement is being filed:

- (1) within three (3) months of the Filing Date or **before the mailing date of the First Office Action** on the merits; or
- (2) within three months of the mailing date of the PCT International Search Report; or
- X (3) after the period defined in (1) but before the mailing date of a **Final Rejection** or **Notice of Allowance**, and the requisite Certification or fee under Rule 1.17(p), namely **\$180.00**, is included herein; or
- (4) after the mailing date of a **Final Rejection** or **Notice of Allowance** but before the payment of the **Issue Fee**, and the requisite Certification, petition, and petition fee are included herein.

— A copy of the International Search Report is enclosed herewith.

It is respectfully requested that each of the documents shown on the attached form(s) 1449 be made of record in this application.

Copies of these documents (CHECK ONE):

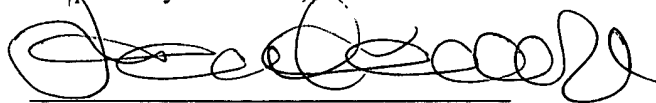
- X are enclosed herewith; or
- have been cited in the parent application, and are thus not being resubmitted herein.

**FEE AUTHORIZATION**

The Commissioner is authorized to charge fee deficiencies or credit overpayments associated with this submission to the NIXON PEABODY LLP Deposit Account No. 19-2380.

Date: June 20, 2006

Respectfully submitted,



Ronald I. Eisenstein (Reg. No. 30,628)  
Leena H. Karttunen (L0207)  
NIXON PEABODY LLP  
100 Summer Street  
Boston, MA 02110-2131  
(617) 345-6054

Substitute for form 1449A/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

**Complete if Known**

Application Number	10/655,762
Filing Date	09/05/2003
First Named Inventor	Charles R. Cantor
Art Unit	1637
Examiner Name	Young J. Kim
Attorney Docket Number	701856-053025-CA

Sheet	1	of	2
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## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

[illegible]

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [222.uspto.gov](http://222.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

